



Talbot County, Maryland



Easton, Maryland

MINUTES

March 23, 2010

Present – President Levin F. Harrison, IV, Vice President Philip Carey Foster, Dirck K. Bartlett, Thomas G. Duncan, Corey W. Pack, County Manager R. Andrew Hollis, Assistant County Manager James Urbanczyk and County Attorney Michael Pullen.

- I. Agenda – Agenda of March 23, 2010 was approved upon motion by Mr. Bartlett, seconded by Mr. Pack, with the Council voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- II. Minutes – Minutes of March 9, 2010 were approved upon motion by Mr. Foster, seconded by Mr. Pack, with the Council voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett - Aye

- III. Disbursements – Disbursements of March 16, 2010, and March 23, 2010 were approved upon motion by Mr. Pack, seconded by Mr. Bartlett, with the Council voting 5 - 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- IV. Presentation of Request by Board of Education Regarding Security Cameras at Easton Middle School – John Masone, Assistant Superintendent, Talbot County Public Schools; Bruce Horvath, Facilities Manager, Talbot County Public Schools – Mr. Masone briefed the Council on the Board of Education’s request for contingency funding in the total sum of \$73,922 for expansion of the existing system of security cameras at Easton Middle School as recommended by Dr. Karen Salmon, Superintendent, Talbot County Public Schools and the Easton Police Department. Council discussion ensued as to whether or not the installation of additional cameras would help alleviate parents’ concerns for the safety of students following recent disciplinary incidents at Easton Middle School. Mr. Masone advised that should the Council not approve the use of contingency funding for installation of the cameras, the Board of Education was prepared to proceed to purchase the camera equipment by deferring several capital projects as stipulated in information previously provided to Council. Council discussion continued. Mr. Bartlett made a motion to fund such an amount needed only for the placement of cameras at the 10 exits and entrances not currently monitored; as there was no second, the motion failed.

- V. Easton Middle School Disciplinary Concerns – Joe Hamill – Mr. Hamill was not present. Ms. Mary Bryan, Administrator for the Easton Middle School Facebook page, stated that there are approximately 480 parents contributing to the Easton Middle School Facebook page, adding that many of the contributors are afraid to speak out or approach the Board of Education regarding their concerns over bullying and other disciplinary issues at Easton Middle School.
- VI. Quarterly Update by Board of Health – Kathleen Foster, R.N., M.S., Health Officer, Talbot County Health Department – Ms. Foster briefed the Council on the following matters: (1) H1N1 Update – Ms. Foster stated that, in her opinion, it had been an unusual flu season with H1N1 flu first appearing in Spring 2009, peaking in the Fall, followed by seasonal flu which normally appears in the winter, but did not. She stated that approximately 28% of Talbot County citizens had received an immunization against the flu compared to 25% of Marylanders. She outlined the strengths of the County’s mobilization against the flu as the following: (a) cooperation between agencies, including the sharing of resources and the identification of priority groups; (b) advertising and outreach, particularly to the Spanish population; and (c) the conservation of energy and stamina of healthcare workers in the event of a mass event by utilizing federal monies to hire temporary nurses to give the immunizations, and County employees scheduled for furloughs to staff the immunization clinics. Ms. Foster continued that challenges included (a) the slow arrival of vaccine and data entry issues, both State concerns, adding that the State will be working to correct deficiencies; (b) limited Health Department call center capabilities; and (c) management of limited resources, including the availability of pediatric intensive care beds in Talbot County in the event of a medical surge; (2) Colorectal Cancer Prevention – Ms. Foster stated that colorectal cancer is the second leading cause of cancer deaths in Maryland and outlined risk factors for same; (3) Miscellaneous – Ms. Foster reminded everyone that tick season will soon be approaching, advising that individuals should wear lightly colored long sleeved shirts and pants when out of doors. She also demonstrated correct tick removal procedures. Ms. Foster advised that the Family Support Center has proposed an intergenerational project to the Talbot Senior Center. The project would involve the two groups meeting once a week in order to facilitate a better understanding between the two groups while highlighting the positive contributions made by seniors, providing the children with surrogate grandparents, and the seniors with opportunities to be surrogate grandparents. Ms. Foster concluded her comments by speaking of her working relationship with County Manager Andrew Hollis for the past seven years, adding that, in her opinion, he had always offered supportive understanding of issues facing the Health Department. She added that, she had often presented her ideas to him as a professional peer and, in her opinion, they had always had an open and honest relationship. She stated that she looked forward to the Council’s selection of a new County Manager.
- VII. Continuation of Public Hearing:

Prior to the continuation of the public hearing on Bill No. 1180, Sandy Coyman, Planning Officer, stated that at the Tuesday, March 9, 2010 Council meeting, there had been discussion of the best approach to finalize the incorporation of a Water Resources Plan Element into the County’s Comprehensive Plan, including the creation of a much more abbreviated version of legislation than currently exists in Bill No. 1180. Mr. Coyman stated that he had submitted a memo to the Council recommending that the County move forward with the proposed Water Resources Element as proposed by the Planning Commission, and incorporated into Bill No. 1180, with the addition of several amendments which would address the Council’s concerns. He continued that the submission of an abbreviated plan would, in his opinion, be rejected by the Maryland Department of Planning and the Maryland Department of the Environment. 2006 Maryland House Bill 1141(HB1141) requires each jurisdiction in the state to include a water resources plan element in its comprehensive plan in order to help ensure that all jurisdictions provide uniform statistical information about water supply, wastewater treatment and stormwater management to the State. Council discussion ensued regarding whether to submit the plan as proposed in Bill No. 1180, or a more abbreviated version. Mr. Bartlett reiterated that on March 9, 2010 he had requested that the Planning Commission and Public Works Advisory Board work together to redraft the plan, to comply with the State’s request, with the caveat that the State has not defined “receiving waters.” The public hearing was then held on Bill No.

1180, A BILL TO AMEND THE TALBOT COUNTY COMPREHENSIVE PLAN, TO ADOPT A WATER RESOURCES PLAN ELEMENT AS REQUIRED BY ARTICLE 66B § 3.05 (a) (4) (vi), MD. ANN. CODE, TO BE ADDED AS CHAPTER 14, ENTITLED “WATER RESOURCES,” *and amendments*. The public was afforded an opportunity to comment on the legislation, *and amendments*:

VII. Water Resources Policies and Actions

This section describes policies and implementation strategies that the County should pursue in order to achieve the goals of this Water Resources Element.

* * *

(Amendment A)

7. Continue to identify areas where failing septic systems or other public health concerns exist, and work with residents of those areas and municipalities to extend public water and/or sewer service provide limited-access sewer and water lines to those areas. Sewer service from limited-access sewer lines would be restricted to one equivalent dwelling unit (EDU) for each existing lot of record, or, for existing lots of record having more than one existing dwelling unit, one EDU for each existing dwelling unit.

* * *

(Amendment B)

11. Work with MDE, DNR, and the Maryland Department of Agriculture (MDA) to assist farmers in adopting and improving Best Management Practices to reduce nonpoint source loads of nutrients and other pollutants.

* * *

(Amendment C)

16. Consider increasing farm buffer widths to wider than 25 feet to require additional buffer acreage between buffers and farm fields, thereby reducing amounts of soil, sediment, and other pollutants entering adjacent water bodies.

Amendment A was brought forward for discussion. Mr. Harrison requested that the words, “and water lines” be removed from Amendment A. Mr. Bartlett and Mr. Pack concurred. Amendment A, as amended, was brought forward for vote. The Council did not approve Amendment A, as amended, by voting 2 -3 as follows:

Mr. Harrison - Nay
Mr. Pack – Aye
Mr. Duncan – Nay
Mr. Foster – Nay
Mr. Bartlett – Aye

Amendment B was brought forward for vote. The Council approved Amendment B by voting 4 – 1 as follows:

Mr. Harrison – Nay
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

Amendment C was brought forward for vote. The Council did not approve Amendment C by voting 2 – 3 as follows:

Mr. Harrison – Nay
Mr. Pack – Nay
Mr. Duncan – Aye
Mr. Foster – Nay
Mr. Bartlett – Aye

VIII. Eligible for Vote:

Bill No. 1180, as amended, was brought forward for vote. Mr. Pack made a motion to table the legislation in order to afford the Planning Staff an opportunity to review items discussed in today’s meeting and to consider incorporating language relating to cover crops and green technology, and to review data included in various tables incorporated in the plan, making clear that Talbot County is aware that errors exist in the data. Council discussion ensued and Mr. Pack withdrew his motion to table the legislation and made a motion to bring Bill No. 1180, as amended, forward for vote; the motion was seconded by Mr. Duncan. The Council did not approve Bill No. 1180, as amended, by voting 0 – 5 as follows:

Mr. Harrison – Nay
Mr. Pack – Nay
Mr. Duncan – Nay
Mr. Foster – Nay
Mr. Bartlett – Nay

The Council meeting recessed at 4:36 p.m. and reconvened short time later.

IX. Presentation of Requests Regarding Talbot County Community Center – Rick Towle, Director, Department of Parks & Recreation; John Farwell, Chairperson, Parks & Recreation Advisory Board; Jesse Fearins, Assistant County Engineer

- Proposal from The Lukmire Partnership, Inc. for Phase II (Design Phase) of the Talbot County Community Center Addition Project - Prior to the presentation on the proposal from The Lukmire Partnership, Inc., Mr. Foster requested that Council consideration be given to designate Friday, March 26, 2010 as a Special Legislative Day and requested that any decisions on matter of the proposal be deferred until that time, stating that he had recently received additional information from the architect. Council agreed that as John Farwell, Chairman of the Parks & Recreation Advisory Board was present, the Council would proceed with discussion of the proposal from The Lukmire Partnership. Mr. Towle stated that on February 9, 2010 the Council had voted to secure a proposal from The Lukmire Partnership, Inc. for Phase II (Design Phase) of the proposed Talbot County Community Center Addition Project. Mr. Towle advised that the architect’s proposal includes the scope of work and schedule for same in an amount “not to exceed” \$448,812 on a “time and materials basis,” which includes a “not to exceed” 8% mark-up. Mr. Towle continued that the amount, which includes fees for Design Services and Construction Management Services, is slightly higher than the budgeted amount cited in the Feasibility Study, in his opinion, due to new Maryland Department of the Environment stormwater management regulations which become effective on May 20, 2010, but were not in effect at the time of the Feasibility Study. Council discussion ensued as to several items outlined in the proposal and the proposed project itself. Mr. Towle requested Council approval of the Design Services portion of the proposal in the sum of \$342,828. Upon motion by Mr. Foster, seconded by Mr. Pack, the Council approved the designation of Friday, March 26, 2010 as a Special Legislative Day. The Council approved the designation by voting 4 – 1 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Duncan – Nay
Mr. Foster – Aye
Mr. Bartlett – Aye

- Bid No. 10-02, Talbot County Community Center Ice Arena Repairs – Phase II - Mr. Fearins requested Council approval to award the Base Bid and Alternates 1 through 3 for Phase II of the Talbot County Community Center Ice Arena Repairs to the low bidder, Gillis Gilkerson, Inc, in the sum of \$165,750.00. Mr. Fearins stated that he has just recently negotiated the sum to \$164,000.00; said project is contingent upon receipt of building permit from the Town of Easton. Upon motion by Mr. Bartlett, seconded by Mr. Duncan, the Council approved the award in the sum of \$164,000.00 by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- X. Update on Census 2010 Outreach Efforts – Sandy Coyman, Planning Officer; Martin Sokolich, Long Range Planner – Mr. Sokolich briefed the Council that households in Talbot County should have received their Census 2010 forms, a series of only ten questions. The data gathered determines legislative boundaries for fair distribution of political representation as well as the distribution of funding for schools, roads, healthcare, etc. He stated that the federal government hopes to have a majority of the forms returned by April 1, 2010, or by April 15, 2010 at the latest. He advised that all responses are confidential and are available in five languages, and also Braille; adding that additional language assistance is available and the forms may also be online and through telephone centers. Mr. Sokolich advised that the Office of Planning and Zoning has assembled a Census 2010 Complete Count Committee to promote the completion of the Census forms, particularly by those populations traditionally difficult to enumerate.
- XI. Presentation on the Maryland Department of Planning’s PlanMaryland Public Forums – Sandy Coyman, Planning Officer – Mr. Coyman briefed the Council on the Maryland Department of Planning’s initiative, *PlanMaryland*, the State’s first comprehensive plan designed to produce sustainable growth and development. Mr. Coyman stated that the enabling legislation for the plan has been in existence for 40 years and advised that the Maryland Department of Planning will be hosting a series of public forums to gather the public’s input and ideas on various topics related to the plan; Chesapeake College will hold a forum on Wednesday, May 12, 2010 from 6:00 p.m. to 9:00 p.m.
- XII. County Manager’s Report:
- A. Talbot County Commission on the Aging – Requested Council approval for the appointment of Vincent DeSanctis to a three-year term on the Talbot County Commission on the Aging; said term will expire on April 1, 2013. Upon motion by Mr. Foster, seconded by Mr. Duncan, the Council approved the award by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- B. Talbot Family Network Board of Directors - Requested Council approval for the appointment of Barbara Mitchell to the Talbot Family Network Board of Directors as a representative from the public sector; said term will expire June 30, 2012; requested a change in the status of Nancy Fauntleroy from a public to private sector representative. Upon motion by Mr. Bartlett, seconded by Mr. Duncan, the Council approved the appointment, and the change in status, by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

- C. Talbot County Weed Control Committee – Requested Council approval for the reappointment of Gordon Behrens, Charles Lyons, Jr. and John Swaine, III to three-year terms on the Talbot County Weed Control Committee; said terms will expire July 1, 2013. Upon motion by Mr. Duncan, seconded by Mr. Foster, the Council approved the reappointments by voting 5 – 0 as follows:

Mr. Harrison – Aye
Mr. Pack - Aye
Mr. Duncan – Aye
Mr. Foster – Aye
Mr. Bartlett – Aye

XIII. Council Comments:

Mr. Pack - Mr. Pack thanked all those who attended the March 20, 2010 roller-skating event at the Talbot County Community Center. He stated that he had been approached by an individual from Queen Anne’s County who thanked him for holding the event. He continued that, in his opinion, the event was a great success, adding that Talbot County is a hub and people will come.

Mr. Bartlett- No comments.

Mr. Duncan - No comments.

Mr. Foster- Mr. Foster reminded everyone that March 25th was Maryland Day, which commemorates the landing of the *Ark* and the *Dove* in St. Mary’s County. He continued that settlers first landed in Claiborne, followed by Queen Anne’s County, but St. Mary’s County is historically recognized as the location of the first settler’s landing. He stated that he, along with Mr. Pack and Mr. Duncan, had recently attended the Easton Police Department’s Annual Dinner, during which former police chief, Ben Blue had been honored. He congratulated the Talbot County Farm Bureau who had recently held their Annual Meeting and congratulated the Talbot County Board of Education for permitting the St. Michaels Volunteer Fire Company to utilize the high school parking lot for their carnival, adding that in his opinion, it was a wise decision and he commends them for it.

Mr. Harrison- Mr. Harrison stated that the Council would next hold a work session on prohibiting extraneous flows into the County sewer collection system, followed by Executive Session for discussion of legal, personnel, and real estate matters and would reconvene on Friday,

March 26, 2010 at 12:00 noon for budget deliberations followed by a Special Legislative Session at 1:30 p.m.; he requested a motion to that effect.

- XIV. Upon motion by Mr. Duncan, seconded by Mr. Foster, the Council voted to adjourn into a Work Session then to reconvene into Executive Session for discussion of legal, personnel and real estate matters, and to reconvene on Friday, March 26, 2010 at 12:00 noon for budget deliberations followed by a Special Legislative Session at 1:30 p.m. by voting 5 – 0 as follows:

Mr. Harrison - Aye
Mr. Pack - Aye
Mr. Duncan - Aye
Mr. Foster - Aye
Mr. Bartlett- Aye

The meeting adjourned at 5:31 p.m.

The transcript of the March 23, 2010 County Council meeting is available for review in the Office of the County Manager during regular office hours.

- XV. Prior to the meeting on March 23, 2010 an Executive Session of the Talbot County Council convened at 12:50 p.m. in the County Council Conference Room and Bradley Meeting Room. Upon motion by Mr. Pack, seconded by Mr. Duncan, the Council met in Executive Session by voting 4-0-1 as follows:

Mr. Harrison – Aye
Mr. Pack – Aye
Mr. Duncan – Aye
Mr. Foster – Not present
Mr. Bartlett – Aye

In accordance with State Article §10-508(a)(1)(i)(4)(7)(8) the purpose of the Executive Session was for a legal/real estate matter to obtain legal advice concerning the possible relocation of Memorial Hospital at Easton to County-owned property and timetable for same; for personnel matters to discuss appointments to various County boards and committees; to discuss the hiring process for County Manager; to discuss the reporting assignment for the Liquor Inspector and to discuss the salary for three employees. The meeting recessed at 1:30 p.m., reconvened at 6:00 p.m., and ended at 7:00 p.m.

- XVI. Work Session on Prohibiting Extraneous Flows into the County Sewer Collection System – Ray Clarke, County Engineer; John Allen, Manager of Environmental Operations – Mr. Clarke and Mr. Allen presented an overview of flow volumes at the Region II Wastewater Treatment Plant. The Department of Public Works has evaluated rain data and its correlation with spikes in the flow volumes at the Region II Wastewater Treatment Plant. The analysis shows that there are illegal connections to the sewer collection system resulting in the Wastewater Treatment Plant processing large amounts of rainwater. Mr. Clarke proposed the enactment of an ordinance to prevent illegal connections to the sewer collection system and the enforcement of same through the Code Enforcement Office. Council discussed whether the County would be able to enforce the ordinance to properties located within the Town of St. Michaels. Mr. Clarke noted that his office will continue to work with the Town of St. Michaels on replacing aged and failing sewer lines, and on repairing damaged cleanouts and manhole covers. Mr. Foster expressed concern about starting a new program and hiring new staff to enforce the ordinance in light of the fiscal climate. Council directed staff to prepare a draft ordinance that states that property owners who discharge into the Town of St. Michaels sanitary sewer system are subject to routine inspections of their property once every five years.

CASH STATEMENT 3/16/2010

BALANCE 3/9/2010		\$5,793,755.42
MLGIP INTEREST ON ACCT 2/2010		348.80
UHC CLAIMS 3/9/2010		(30,721.21)
STATE REPORT 2/2010		(129,965.92)
DEPOSITS		347,522.23
CHECKS		(241,371.87)
VOIDED CHECKS NO 259484, 259584, 259627		3,713.07
BALANCE 3/16/2010		<u>5,743,280.52</u>

AIRPORT ACCOUNTS

AIP29			14,047.52
AIP30			2,193.71
AIP-32	BALANCE 3/9/2010	2,916.01	
TO CLOSE ACCT	TRANS TO GEN ACCT	(2,916.01)	0.00
AIP33-DSA			2,505.00
NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS			-
AIP-34	BALANCE 3/2/2010	9,744.87	
	TRANS FR GEN ACCT	10,000.00	
	CHECKS	(10,000.00)	9,744.87
AIP-35			25,429.52
AIP-36	NEW ACCOUNT		0.00
AIP-37	NEW ACCOUNT		
	TRANS FR GEN ACCT	425.00	
	CHECK	425.00	0.00
AIRPORT ACCOUNTS TOTAL BALANCE			<u>\$53,920.62</u>

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
01/27/2010	03/16/10	0.56%	3,000,000.00
03/31/2009	03/30/10	2.11%	6,000,000.00
01/27/2010	04/13/10	0.56%	3,000,000.00
04/28/2009	04/27/10	1.61%	3,000,000.00
06/01/2009	04/27/10	1.56%	3,000,000.00
02/24/2010	05/11/10	0.51%	3,000,000.00
08/04/2009	05/25/10	1.03%	6,000,000.00
02/24/2010	06/15/10	0.51%	3,000,000.00
06/30/2009	06/29/10	1.51%	6,000,000.00
07/28/2009	07/27/10	1.14%	6,000,000.00
09/29/2009	08/31/10	0.79%	3,000,000.00
11/06/2009	08/31/10	0.62%	3,000,000.00
11/24/2009	09/28/10	0.60%	6,000,000.00
PNC - MLGIP INVESTMENTS TOTAL		0.16%	3,000,000.00

TOTAL INVESTED **\$57,000,000.00**

PETTY CASH BALANCE **\$6,500.00**

GRAND TOTAL ALL FUNDS **\$62,803,701.14**

CASH STATEMENT 3/23/2010

BALANCE 3/16/2010 \$5,743,280.52

SALE & INTEREST ON CD @ TALBOT BANK 3,002,210.11
 UHC CLAIMS 3/16/2010 (49,571.74)

PAYROLL – FD/SS/MS WH 3/19/2010 (119,321.32)
 SECU DED (10,997.62)
 DEFERRED COMP DED (9,163.45)
 MD WH (30,547.53)
 PENSION DED (22,314.89)
 ACH TRANSFER (11,525.00)
 FLEX SPENDING ACCT (2,255.29)

DEPOSITS 432,429.43
 CHECKS (544,771.64)

BALANCE 3/23/2010 **8,377,451.58**

AIRPORT ACCOUNTS

AIP29 14,047.52
 AIP30 2,193.71
 AIP33-DSA 2,505.00
 NEW AIP-RUNWAY 4-22 EXTENSION ANALYSIS -
 AIP34 9,744.87
 AIP-35 25,429.52
 AIP-36 -
 AIP-37 -

AIRPORT ACCOUNTS TOTAL BALANCE **\$53,920.62**

INVESTMENTS – CERTIFICATES OF DEPOSIT

<u>CERTIFICATE DATE</u>	<u>MATURITY DATE</u>	<u>RATE</u>	<u>AMOUNT</u>
03/31/2009	03/30/10	2.11%	6,000,000.00
01/27/2010	04/13/10	0.56%	3,000,000.00
04/28/2009	04/27/10	1.61%	3,000,000.00
06/01/2009	04/27/10	1.56%	3,000,000.00
02/24/2010	05/11/10	0.51%	3,000,000.00
08/04/2009	05/25/10	1.03%	6,000,000.00
02/24/2010	06/15/10	0.51%	3,000,000.00
06/30/2009	06/29/10	1.51%	6,000,000.00
07/28/2009	07/27/10	1.14%	6,000,000.00
09/29/2009	08/31/10	0.79%	3,000,000.00
11/06/2009	08/31/10	0.62%	3,000,000.00
11/24/2009	09/28/10	0.60%	6,000,000.00
PNC-MLGIP INVESTMENTS TOTAL		0.17%	3,000,000.00

TOTAL INVESTED	<u>\$54,000,000.00</u>
PETTY CASH BALANCE	<u>\$6,500.00</u>
GRAND TOTAL ALL FUNDS	<u>\$62,437,872.20</u>